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# Public Notice

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**US ARMY CORPS  
OF ENGINEERS  
St. Louis District  
Gateway to Excellence**

**Reply To:  
U.S. Army Corps of Engineers  
Attn: CEMVS-OD-F  
1222 Spruce Street  
St. Louis, Missouri 63103-2833**

Public Notice No.  
**P-2814**  
Public Notice Date  
**November 15, 2011**

Expiration Date  
**December 5, 2011**

**Postmaster Please Post Conspicuously Until:**

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File Number: MVS-2011-578

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

**COMMENTS AND ADDITIONAL INFORMATION:** Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
Regulatory Branch  
1222 Spruce Street  
St. Louis, Missouri 63103-2833  
ATTN: Tyson Zobrist

**APPLICANT:** City of Louisiana, Missouri. Attention: Mr. Robert Jenne, 202 S. 3<sup>rd</sup> Street, Louisiana, Missouri, 63353, (573) 754-4132.

**LOCATION:** The project site is located at Latitude 39°26'57.20" North, Longitude 91°2'38.57" West, Section 18, Township 54 North, Range 01 West, Pike County, Missouri. The site is located along the right descending bank of the Mississippi River at mile 282.7.

**PROJECT DESCRIPTION:** The applicant seeks authorization under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act to construct a rock wind dike creating a small harbor which will contain floating dock structures along the right descending bank of the Mississippi River at mile 282.7. The wind dike will start at the right bank of the river and extend out seventy-five feet, slightly angling downstream. The dike will then turn and extend another one-hundred feet downstream, paralleling the river bank. The applicant will use A-stone rip rap with a top size of five-thousand pounds. Once the wind dike is constructed a floating metal boat dock structure with wood decking will be constructed inside the wind dike harbor (See Figure 1 for dock configuration). The dock structures will be secured by spud poles so they may rise and fall with fluctuating river levels. Additionally, a ramp will be placed from the adjacent parking lot owned by the City of Louisiana and the Missouri Department of Conservation, and then secured to the floating dock structures for access. The proposed project will provide boaters with a safe harbor for docking their boats thereby giving

them access within walking distance to all the amenities of downtown Louisiana. The applicant anticipates that the project will aide in stimulating the local economy while increasing the exposure to the City of Louisiana. (See Attached Figures)

**LOCATION MAPS AND DRAWINGS:** See Attachments: Figures 1, 2.

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Tyson Zobrist, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8578. Your inquiries may also be sent by electronic facsimile to (314) 331-8533 or by e-mail to [tyson.j.zobrist@usace.army.mil](mailto:tyson.j.zobrist@usace.army.mil).

**AUTHORITY:** This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)

**WATER QUALITY CERTIFICATION:** By issuance of this public notice, the project plans are considered submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification, if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102-0176, with copy provided to the Corps of Engineers.

**SECTION 404 (b)(1) EVALUATION:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Request for public hearings shall state, with particularity, the reasons for holding the public hearing.

**ENDANGERED SPECIES:** The proposed project is within range of the endangered Indiana bat (*Myotis sodalis*), Gray Bat (*Myotis grisescens*), Fat Pocketbook (*Potamilus capax*), Decurrent false aster (*Boltonia decurrens*) and two state endangered mussel species. A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that the proposed wind dike and floating dock structures may adversely affect the endangered *Potamilus capax* and two state endangered mussel species. In order to complete our evaluation, further consultation and written comments are solicited by this public notice from the U.S. Fish and Wildlife Service, Missouri Department of Conservation and other interested agencies and individuals.

**CULTURAL RESOURCES:** The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a reconnaissance survey of the project area.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion, and accretion,



recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of these proposed activities. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

In accordance with 33 CFR 325.3, it is presumed that all interested parties and agencies will wish to respond to public notices; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project.

  
Danny D. McClendon  
Chief, Regulatory Branch

Attachments: 1-3

**NOTICE TO POSTMASTERS:**

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.

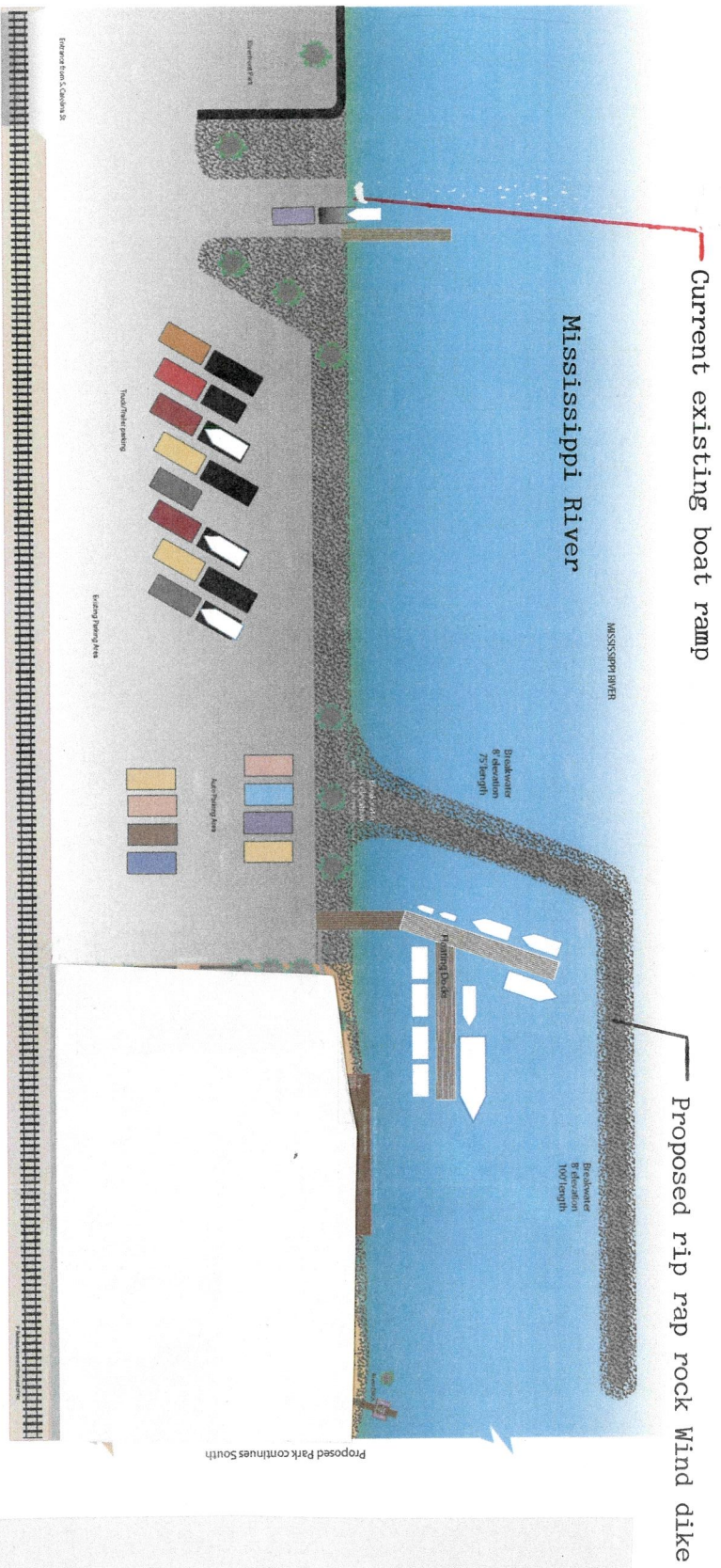
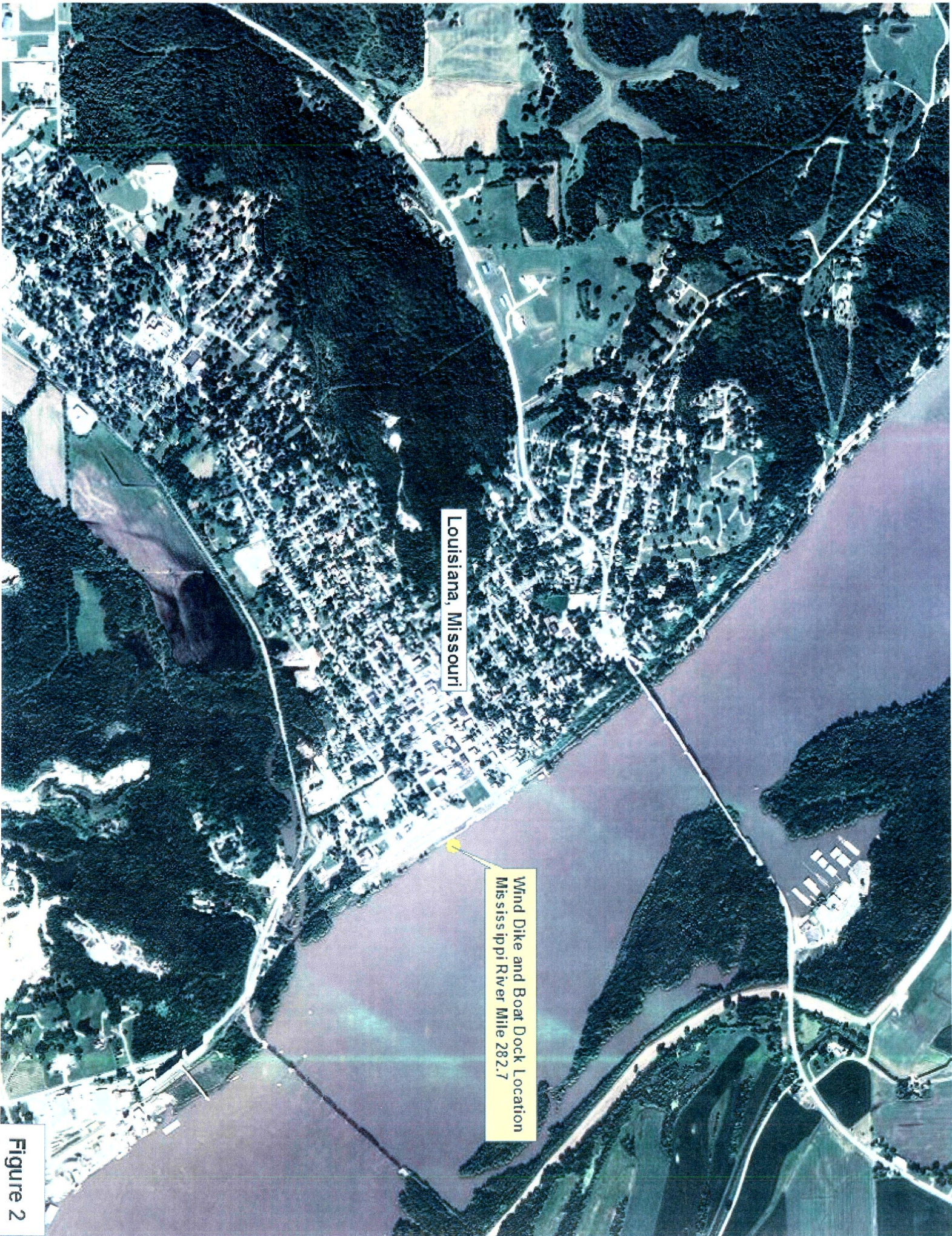


Figure 1





Louisiana, Missouri

Wind Dike and Boat Dock Location  
Mississippi River Mile 282.7

Figure 2